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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 Brian Whitaker,

16 Plaintiff,

v.

Fresh Squeezed Akash, LLC, a
California Limited Liability Company

Defendants.

Case No: 3:21-cv-07057-JD

Plaintiff's Updated Status Report

- 17
18 1. On July 13, 2022, Plaintiff filed a Motion for Administrative Relief to obtain
19 dates from Defendant for conducting the Joint Site Inspection. Dkt. 9.
20 2. On July 15, 2022, the Court granted Plaintiff's Motion. Pursuant to that order
21 the deadline to hold the Joint Site Inspection was August 31, 2022. Dkt 10;
22 3. On July 29, 2022, Plaintiff counsel's paralegal, Mr. Priyesh Manjrekar,
23 contacted Defense counsel Mr. David Buffington and Mr. Izaiah Chacon via
24 email for scheduling the Joint Site Inspection of the above-referenced case;
25 4. On August 3, 2022, Mr. Manjrekar reminded Defense counsel to provide
26 dates for scheduling Joint Site Inspection;
27 5. On August 4, 2022, Plaintiff filed a Status Report regarding their failed
28 attempts to set the site inspection. Dkt 11;

- 1 6. On August 9, 2022, Mr. Manjrekar followed up with Defense counsel for
2 scheduling the Joint Site Inspection;
- 3 7. On August 16, 2022, Mr. Manjrekar provided Defense counsel's availability
4 to schedule the Joint Site Inspection;
- 5 8. On August 22, 2022, Mr. Manjrekar reminded Defense counsel to provide
6 dates for scheduling the Joint Site Inspection;
- 7 9. On August 31, 2022, Mr. Manjrekar followed up with Defense counsel for
8 scheduling the Joint Site Inspection;
- 9 10. On September 7, 2022, Mr. Manjrekar followed up with Defense counsel to
10 provide dates for scheduling the Joint Site Inspection;
- 11 11. On September 8, 2022, I took over this case for former counsel, Ms. Josie
12 Zimmermann, and that same day I contacted Defense counsel and informed
13 them that Plaintiff counsel's office had made multiple attempts to set the Site
14 Inspection and asked counsel to provide availability to conduct the Joint Site
15 Inspection immediately;
- 16 12. On September 12, 2022, Plaintiff filed a status report alerting the Court of
17 Defendant's failure to comply. Dkt 14;
- 18 13. On October 7, 2022, Plaintiff counsel followed up with Defense counsel for
19 Scheduling the Joint Site Inspection or providing proof of Remediation;
- 20 14. On October 11, 2022, Mr. Manjrekar reminded Defense counsel to provide
21 dates for scheduling the Joint Site Inspection;
- 22 15. On October 11, 2022, Ms. Hayes also called Defense counsel's office and left
23 a Voice Message requesting dates to conduct Joint Site Inspection.
- 24 16. This status report is filed to alert the court of Defendants' continued failure to
25 follow the Courts July 15, 2022, and to explain to the Court why Plaintiff is
26 unable to meet the October 12, 2022, deadline to file the Notice for Need of
27 Mediation
- 28

1 17. Attached as Exhibit 1 is a true and correct copy of the above-mentioned email
2 communications.

3 I declare under penalty of perjury under the laws of the State of California
4 and the United States that the foregoing is true and correct.
5

6 Dated: October 12, 2022

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8 By: /s/ Naomi Butler

9 Naomi Butler, Esq.
10 Attorney for Plaintiff